

REMARKS:

Claims 1-20 remain pending.

Regarding the Office Action:

In the Office Action¹, the Examiner objected to claim 6, and rejected claims 19 and 20 under 35 U.S.C. § 101 as lacking patentable utility. Next, the Examiner rejected claims 1, 3, 4, 6, 8-13, 15-17, 19 and 20 under 35 U.S.C. § 103(a) as being unpatentable over Chiu (U.S. Patent No. 6,392,434) ("Chiu") in view of Sheu et al. (U.S. Patent No. 6,694,208) ("Sheu"). Further, the Examiner rejected claims 2 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Chiu in view of Sheu as applied to claims 1 and 10, and further in view of Behkami et al. (U.S. Patent No. 6,775,630) ("Behkami"). Finally, the Examiner rejected claims 5 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Chiu in view of Sheu as applied to claims 1, 4, 10 and 15, and further in view of Buckheit et al. (U.S. Patent Publication No. 2003/0055592) ("Buckheit").

Applicants have amended claims 1, 6, 10 and 19 to more appropriately define their invention. Claim 6 has been amended to correct a typographical error. Support for the amendments in claims 1, 10 and 19 can be found in the specification at, for example, page 15, line 17 to page 16, line 11; and page 16, lines 21-25.

¹ The Office Action contains statements characterizing the related art and the claims. Regardless of whether any such statements are specifically identified herein, Applicants decline to automatically subscribe to any statements in the Office Action.

Regarding the Objection to Claim 6:

Applicants have amended claim 6 to correct the typographical error noted by the Examiner at page 2 of the Office Action. Accordingly, Applicants respectfully request that the objection to claim 6 be withdrawn.

Regarding the Rejection of Claims 19 and 20 under 35 U.S.C. § 101:

Applicants respectfully traverse the Examiner's rejection of claims 19 and 20 as lacking patentable utility. In making the rejection, the Examiner alleged that claims 19 and 20 are nonstatutory functional descriptive material. In particular, the Examiner asserted that "a computer program is merely a set of instructions capable of being executed by a computer, without being embodied on the computer-readable medium." Office Action at p. 2. While Applicants disagree, in an effort to expedite prosecution, Applicants amend claim 19 to recite in part: "A computer program product stored on a *computer-readable medium* of a computer and configured to be executed by a computer," (emphasis added). Thus, Applicants submit that claim 19, and its dependent claim 20, meet the requirements of 35 U.S.C. § 101.

Regarding the Rejection of Claims 1-6 and 8-20 under 35 U.S.C. § 103:

Applicants respectfully traverse the rejection of claims 1, 3, 4, 6, 8-13, 15-17, 19 and 20 under 35 U.S.C. § 103(a) as being unpatentable over Chiu in view of Sheu. To establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a), each of three requirements must be met. First, the references, taken alone or in combination, must teach or suggest each and every element recited in the claims. See M.P.E.P. § 2143.03 (8th ed. 2001). Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of

ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. Third, a reasonable expectation of success must exist. Moreover, each of these requirements must “be found in the prior art, and not be based on applicant’s disclosure.” M.P.E.P. § 2143 (8th ed. 2001).

Amended claim 1, for example, is not obvious over Chiu and Sheu because the applied references, taken alone or in combination, at least fail to teach or suggest “an analogous test information input unit configured to classify the electrical tests into a plurality of analogous electrical tests with regard to analogous failures *among the plurality of types of semiconductor devices*” (emphasis added), as recited in amended claim 1.

Specifically, Chiu teaches a method for testing chips on wafers wherein the chips are assigned to regions and subregions. Chiu col. 2, lines 11-29. Chiu further teaches that the density of defects within a region is recorded and compared to another region. Chiu col. 3, lines 14-29. However, as acknowledged by the Examiner, “Chiu does not teach classifying the electrical tests into a plurality of analogous electrical tests with regard to analogous failures, as shown in claims 1, 10 and 19.” Office Action at 4. Accordingly, Chiu certainly fails to teach the claimed “analogous test information input unit configured to classify the electrical tests into a plurality of analogous electrical tests with regard to analogous failures *among the plurality of types of semiconductor devices*” (emphasis added).

Sheu fails to cure this deficiency of Chiu. Sheu teaches a method for testing chips on wafers wherein failure modes of cells within the chips are recorded. Sheu col. 2, lines 40-65. While Sheu does teach comparing failure modes across wafers, it

teaches comparing chips and cells of the *same type*. For example, Sheu expressly teaches testing memory cells on memory chips. Sheu col. 2, lines 40-65 and col. 3, line 48 to col. 4, line 8. Thus, Sheu also fails to disclose “an analogous test information input unit configured to classify the electrical tests into a plurality of analogous electrical tests with regard to analogous failures *among the plurality of types of semiconductor devices*” (emphasis added). Since both Chiu and Sheu fail to teach or suggest the claimed “analogous test information input,” claim 1 is allowable over the applied references and claims 2-6, 8, and 9 are allowable at least due to their depending from claim 1.

Similarly, independent claim 10 requires a method of “classifying the electrical tests into a plurality of analogous electrical tests with regard to analogous failures *among the plurality of types of semiconductor devices*” (emphasis added), and independent claim 19 requires “an instruction of classifying the electrical tests into a plurality of analogous electrical tests with regard to analogous failures *among the plurality of types of semiconductor devices*” (emphasis added). Therefore, claims 10 and 19 are allowable over Chiu and Sheu at least for reasons discussed above in regard to claim 1. In addition, dependent claims 11-18 and 20 are allowable at least due to their corresponding dependence from claims 10 and 19.

Applicants respectfully traverse the Examiner's rejection of claims 2 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Chiu in view of Sheu and Behkami, and claims 5 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Chiu in view of Sheu and Buckheit. Because claims 2, 5, 14, and 18 are dependent claims, they include every element required in their corresponding independent claim.

As such, Behkami and Buckheit must cure the above-described deficiencies of Chiu and Sheu to support the Examiner's rejection. Behkami teaches a system that manages semiconductor manufacturing data, col. 3, lines 6-15, and Buckheit teaches a system for analyzing the location of failing chips on a wafer, paragraph 0024 at p. 2. Neither reference, however, teaches at least the features of claims 1 and 10 discussed above. Therefore, Behkami and Buckheit fail to cure the deficiencies of Chiu and Sheu, and claims 2, 5, 14, and 18 are allowable at least due to their corresponding dependence from claims 1 and 10.

Conclusion:

Applicants respectfully request reconsideration of the application and withdrawal of the above detailed rejections. Applicants submit that pending claims 1-20 are in condition for allowance, and Applicants request a favorable action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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